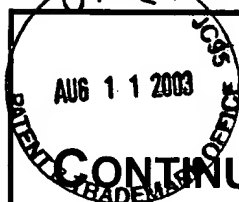


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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|----------------------|
| Application Number | 09/430,029 |
| Filing Date | October 29, 1999 |
| First Named Inventor | TETSUYA YANO, et al. |
| Group Art Unit | 1652 |
| Examiner Name | E. Slobodyansky |
| Attorney Docket Number | 03500.013982 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Amendment Transmittal

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2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge any deficiencies in the following fees, or credit any overpayments, to Deposit Account No. 06-1205
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☒ Other Check in the amount of \$110.00 is enclosed
- b. ☒ Check in the amount of \$ 750.00 is enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|---------------------------|-----------------------------------|-------------|
| Name (Print/Type) | Michael K. O'Neill | Registration No. (Attorney/Agent) | 32,622 |
| Signature | <i>Michael K. O'Neill</i> | Date | Aug 8, 2003 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: Aug 8, 2003

| | | | |
|-------------------|--------------------------------------|------|-------------|
| Name (Print/Type) | Michael K. O'Neill (Reg. No. 32,622) | Date | Aug 8, 2003 |
| Signature | <i>Michael K. O'Neill</i> | | |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Director of the U.S.P.T.O., P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

03500.013982

PATENT APPLICATION

316
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

TETSUYA YANO, et al.

Application No.: 09/430,029

Filed: October 29, 1999

For: DNA FRAGMENT CARRYING
TOLUENE MONOOXYGENASE
GENE, RECOMBINANT PLASMID,
TRANSFORMED MICROORGANISM,
METHOD FOR DEGRADING
CHLORINATED ALIPHATIC
HYDROCARBON COMPOUNDS
AND AROMATIC COMPOUNDS, AND
METHOD FOR ENVIRONMENTAL
REMEDATION

: Examiner: E. Slobodyansky

: Group Art Unit: 1652

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August 8, 2003

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


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August 8, 2003

(Date of Deposit)

Michael K. O'Neill (Reg. No. 32,622)

(Name of Attorney for Applicant)

Michael K. O'Neill (Reg. No. _____)
(Name of Attorney for Applicant)

Signature

Signature

August 8, 2003

Date of Signature

PRELIMINARY AMENDMENT

Sir:

Prior to further examination of the above-identified application for which a Request For Continued Examination has been filed, please amend the application as follows: